

**IN THE UNITED STATES DISTRICT COURT  
OF THE EASTERN DISTRICT OF TEXAS  
TEXARKANA DIVISION**

**GRINDL D. JACKSON**

§

**VS.**

§

**CIVIL ACTION NO. 5:07cv115**

**COMMISSIONER OF SOCIAL  
SECURITY ADMINISTRATION**

§

**MEMORANDUM ORDER**

The above-entitled and numbered civil action was heretofore referred to United States Magistrate Judge Caroline M. Craven pursuant to 28 U.S.C. § 636. The Report of the Magistrate Judge which contains her proposed findings of fact and recommendations for the disposition of such action has been presented for consideration. Plaintiff filed objections to the Report and Recommendation. The Court conducted a *de novo* review of the Magistrate Judge's findings and conclusions.

Plaintiff objects to the Magistrate Judge's recommendation that Plaintiff's above-entitled and numbered social security cause of action be affirmed. Specifically, Plaintiff asserts the Report and Recommendation failed to properly consider evidence of Plaintiff's pulmonary embolism with factor V Leiden mutation and a diagnosis of adjustment disorder with depressed mood. Plaintiff further asserts the Report and Recommendation failed to properly take into account Plaintiff's counsel's hypothetical to the vocational expert which incorporated Plaintiff's limitations.

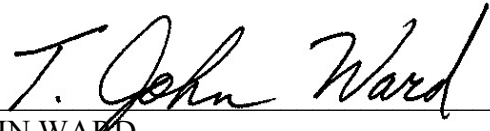
On pages 10-15 of the Report and Recommendation, the Magistrate Judge laid out the medical evidence of record, including the evidence of Plaintiff's pulmonary embolism with factor V Leiden mutation as well as Dr. Simpson's diagnosis of adjustment disorder with depressed mood. The Report and Recommendation also sets forth the hypothetical given by Plaintiff's counsel to the

vocational expert. The Court agrees with the Magistrate Judge that substantial evidence supports the ALJ's credibility assessment, residual functional capacity evaluation, and decision that Plaintiff is capable of performing her past relevant work.

After reviewing the transcript, the briefs of the parties, and the Report and Recommendation, the Court finds Plaintiff's objections are without merit. The Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct. Therefore, the Court hereby adopts the Report of the United States Magistrate Judge as the findings and conclusions of this Court. Accordingly, it is hereby

**ORDERED** that the above-entitled Social Security action is **AFFIRMED**.

SIGNED this 2nd day of February, 2009.

  
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T. JOHN WARD  
UNITED STATES DISTRICT JUDGE